IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.13 OF 2006
WITH
CIVIL APPLICATION NO.29 OF 2006

Shri Dattatraya Rajaram Patil. ..Appellant.

V/s.

Smt.Kamalabai @ Sonabai w/o
Rajaradm Patil & Ors. ..Respondents.

Mr.A.A.Kumbhkoni with A.M.Kulkarni for appellant.

Mr.Pratap Patil for Respondent Nos.1 to 7.

CORAM: A.M.KHANWILKAR,J

DATE : FEBRUARY 6, 2006.

P.C. :

1. Mr.Patil waives notice for respondents.

2. Heard counsel for the parties. Substantial questions of law arise for consideration in this appeal, which are as follows.

(AA) Whether the right of a widow to adopt a child u/s.8 of Hindu Adoption and Maintenance Act, 1956 can be curtailed by her deceased husband under a will and whether adoption can be cancelled for that reason ?

(BB) Whether inspite of registered

adoption deed, is it necessary to independently prove the adoption, its ceremonies etc. as per Sec.11 of Hindu Adoption & Maintenance Act, 1956 ?

3. Hence admit.

4. Parties are directed to maintain status-quo as of today with regard to the suit property till final disposal of this appeal.

5. Application disposed of on the above terms.